

BINGHAM McCUTCHEN

Facsimile

DATE February 27, 2003

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TO	Attn: Examiner Stephanie W. Zitomer Group Art Unit 1634	(703) 308-4242	

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PAGES (INCLUDING THIS COVER PAGE): 4
Application Serial No. 09/715,764

RE Notice of Appeal and Petition for a Three Month Extension of Time

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Docket No. 13761-0739

Certificate of Mailing/Transmission (37 C.F.R. § 1.8(a)):

[] Pursuant to 37 C.F.R. § 1.8, I hereby certify that this paper and all enclosures are being deposited with the United States Postal Service as first class mail on the date indicated below in an envelope addressed to the Assistant Commissioner for Patents, Washington D.C. 20231.

[X] Pursuant to 37 C.F.R. § 1.6(d), I hereby certify that this paper and all enclosures are being sent via facsimile on the date indicated below to the attention of Examiner Stephanie W. Zitomer at Facsimile No. (703) 308-4242 at _____ a.m./p.m.

Dated: February 27, 2003

Name of Person Certifying: Peggy Nichols

Printed Name: Peggy Nichols

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Heinz-Josef Lenz, et al.

Assignee: University of Southern
California

Filing Date: November 15, 2000

Examiner: Stephanie W. Zitomer

Serial No.: 09/715,764

Group Art Unit: 1634

Title: GENOMIC POLYMORPHISM FOR PREDICTING THERAPEUTIC RESPONSE

Attn: Box AF
Commissioner for Patents
Washington, D.C. 20231

**NOTICE OF APPEAL AND PETITION FOR A THREE
MONTH EXTENSION OF TIME**

Sir:

A Final Office Action was issued by the U. S. Patent and Trademark Office on August 27, 2002 in connection with the above-identified application. A response to this final action was due January 27, 2003. Enclosed is a Petition For A Three Month Extension of Time, and our authorization to pay the fee due. In view of the filing of this Petition, the subject application is pending today.

Applicants hereby appeal to the Board of Appeals from the decision dated August 27, 2002 of the Examiner rejecting claims 47-60. The items checked below are appropriate.



Appeal Fee:



Large Entity Fee of \$320.00; or



Small Entity Fee of \$160.00.



Applicant(s) claim Small Entity Status under 37 CFR § 1.27.



Petition for Extension of Time (3 mos.)



Petition for Extension of Time Fee \$465.00

Docket No. 13761-0739



Payment of Fees



Please charge Deposit Account No. 50-2518 referencing billing number 2013761-2137610739 in the amount of \$625.00 to cover the above-fees.



The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2518.

DATE: February 27, 2003

Respectfully submitted,

By: _____

David W. Maher

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Registration No.: 40,077

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